

DOCKET NO: 217798US2PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

CECILE JOUBERT, ET AL.

SERIAL NO: 10/019,314

FILED: JANUARY 9, 2002

FOR: SECURED DOCUMENT, SYSTEM
FOR MANUFACTURING SAME AND
SYSTEM FOR READING THIS
DOCUMENT

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: EXAMINER: AMARI, A.

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: GROUP ART UNIT: 2872

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RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement stated in the Official Action dated January 13, 2004, Applicants elect Group II, Claims 44-52, drawn to a document security system with optical modulator. Applicants respectfully traverse the outstanding Restriction Requirement. The outstanding Office Action states that the Inventions, Groups I, II and III, do not relate to a single general inventive concept under PCT Rule 13.1, because, under PCT Rule 13.2, they lack the same or corresponding special technical features. However, M.P.E.P. § 1893.03(d) states:

“When making a lack of unity of invention requirement, the examiner must (1) list the different groups of claims and (2) explain why each group lacks unity with each other group (i.e., why there is no single general inventive concept) specifically describing the unique special technical feature in each group.”

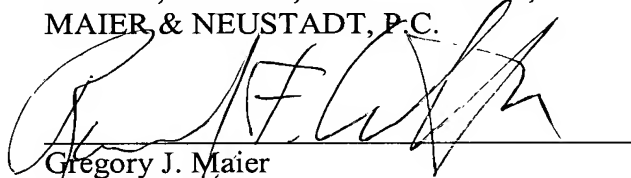
Applicants respectfully traverse the outstanding Restriction Requirement for the reason that Groups I, II and III have not been shown to lack a shared unique special technical feature in

that each group includes a claim (Claim 29, Claim 44 and Claim 53, for example) that includes a document including a hologram.

Accordingly, "unity of invention" clearly exists between the three groups in view of this shared unique special technical feature and Applicants respectfully submit that the Restriction Requirement be withdrawn and that an action on the merits as to all of the pending claims is in order.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read 'G. J. Maier', is written over a horizontal line.

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